IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 4th day of March 2005
Bail application No. 184 of 2005
Order on the bail application of accused

CRIMINAL SIDE

Sajid
S/o Balla @ Iqbal
R/o Village-Bijholi
Police Station –Manglaur
District -Haridwar .....Applicant

Versus

State of Uttaranchal
.....Opposite Party

Arising out of case crime No. 265 of 2004
U/S 364 I.P.C.
Police Station Laksar
District Haridwar

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime no. No. 265 of 2004 U/S 364 I.P.C. Police Station –Laksar, District Haridwar.

Heard Parikshit Saini, learned counsel for the applicant, Sri Rajender Singh, learned counsel for the complainant, learned A.G.A. and perused the record.

The record shows that Irfan was accompanying with the applicant and his associates on 05.12.2004 but he came back to his house on his own on 09.12.2004.

The statement of victim Irfan was recorded u/s 164 Cr. P.C. on 24.01.2005.

No sufficient explanation has been offered by the prosecution in the aforesaid delay in recording the statement of the victim.

The applicant is in jail since 25.01.2005 and learned A.G.A. could not show any criminal history of the applicant.

Under the aforesaid circumstances, I think it is just and proper to release the applicant on bail at this stage.

Let the applicant Sajid be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of J.M., Concerned.

(B.C. Kandpal, J.)

March 04, 2005
Shiv